
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,
Plaintiff,

v.

WICLIFF YVES FLEURIZARD,
Defendant.

ORDER TO CONTINUE JURY TRIAL

Case No. 2:24-cr-00133

District Judge David Barlow

Based on the defendant's Motion to Continue Jury Trial in the above-entitled case, under DUCrimR 12-1(I) and for good cause appearing, the court makes the following findings:

1. A Complaint was filed on March 18, 2024. Defendant first appeared before a judicial officer of the court for an Initial Appearance on March 21, 2024. The Grand Jury returned an Indictment on April 17, 2024. Undersigned counsel filed a motion waiving Mr. Fleurizard's appearance at the Arraignment and this Court granted the motion. A 4-day Jury Trial was set for August 9, 2024, which was within the 70-day time period of the Speedy Trial Act.

2. Defendant seeks a continuance under 18 U.S.C. § 3161(h)(7)(B)(iv). This is the second request to continue trial in this matter.

3. Defendant has alleged that the continuance is necessary because not granting the continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account due diligence.

4. The following factual assertions support defendant's request: This case involves a defendant who is currently residing in Texas, and voluminous discovery that includes material

from cell phone extractions, surveillance videos and airline records. The government has recently provided additional discovery. This discovery is voluminous and will require additional time to review and investigate.


5. The length of delay requested is 90 days.

6. Counsel for plaintiff, Assistant United States Attorney Bryan Reeves, has been contacted and does not object to the continuance.

Based on the foregoing findings, the court grants the motion and will exclude the period of delay under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). Because the proposed 90-day continuance will allow defense counsel time to review discovery, fully investigate this case and coordinate with Mr. Fleurizard, the ends of justice are best served by a continuance of the trial date, and the ends of justice outweigh the interest of the public and Mr. Fleurizard in a speedy trial.

THEREFORE, the 4-day jury trial previously scheduled to begin on November 8, 2024, is hereby continued to the 7th day of February, 2025. Accordingly, the time between the filing of the Motion, October 4, 2024, and the new trial date set forth above is excluded from computation under the Speedy Trial Act.

DATED this 7th day of October, 2024.



DAVID BARLOW
UNITED STATES DISTRICT COURT JUDGE